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Attorney for Defendant
Crossroads Systems, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SYMANTEC CORPORATION,
a Delaware Corporation

Plaintiff,

v.

CROSSROADS SYSTEMS, INC.,
a Texas Corporation

Defendant.

) Case No.: C 08-05687 SBA

)

) **ORDER GRANTING DEFENDANT**

) **CROSSROADS SYSTEMS, INC.'S**

) **MOTION TO TRANSFER VENUE**

) **PURSUANT TO 28 U.S.C. §1404**

)

) Date: April 21, 2009

) Time: 1:00 p.m.

) Place: Courtroom 3

Judge: Hon. Saundra Brown Armstrong

This matter is before the Court on Defendant Crossroads Systems, Inc.'s Motion to Transfer Venue. Having read and considered the arguments presented by the parties, the Court hereby GRANTS Defendant's Motion to Transfer Venue [Docket No. 27] for the following reasons:

1. The instant case could have been properly brought by Plaintiff Symantec Corporation in the United States District Court for the Western District of Texas (Austin Division).

2. Transfer to the United States District Court for the Western District of Texas (Austin Division) is in the interests of justice. The Honorable Sam Sparks of the Western District of Texas (Austin Division) has presided over five lawsuits, two of which are currently pending, involving three of the patents at issue in the instant case. The remaining patents at issue in the instant case are directly related to the patents litigated in the Texas actions and share a common specification and identical inventors. Given Judge Sparks extensive knowledge of the technology involved in the instant case, judicial economy will be served by transfer.

3. Transfer to the United States District Court for the Western District of Texas (Austin Division) will be more convenient for the non-party (and Crossroads' party) witnesses. With respect to the important non-party witnesses who reside in Austin, Texas, Crossroads would be unable to compel non-party witnesses from Texas to testify in California, significantly prejudicing Crossroads' trial presentation.

IT IS HEREBY ORDERED that this case be transferred to the Western District of Texas (Austin Division).

DATED THIS 17th day of April, 2009.

By: Saundra B. Armstrong
SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE